

**HON. NICHOLAS W. MOYNE**  
City Part, Part 52, E-File Part  
80 Centre Street, Room 307, New York, NY 10013

**PART RULES**

Part 52 Clerk: [sfc-part52-clerk@nycourts.gov](mailto:sfc-part52-clerk@nycourts.gov)  
Courtroom Telephone: (646) 386-3742

Principal Court Attorney: Nicholas Grafstrom, Esq.  
Assistant Law Clerk: Sarah Waldman  
Chambers Telephone: (646) 386-3955  
Chambers email: [sfc-Part52@nycourts.gov](mailto:sfc-Part52@nycourts.gov)

**Do not contact chambers to request adjournments of motions or conferences.**

For motion submission procedure, applications, or adjournments, refer to the Motion Submission Part protocol at: [https://ww2.nycourts.gov/courts/1jd/supctmanh/motions\\_on\\_notice.shtml](https://ww2.nycourts.gov/courts/1jd/supctmanh/motions_on_notice.shtml)

1. **Conferences:** All preliminary conferences, status conferences, and compliance conferences in Part 52 are conducted in the Differentiated Case Management (“DCM”) Part. To request a conference, please contact the DCM Clerk at [sfc-city-dcm@nycourts.gov](mailto:sfc-city-dcm@nycourts.gov) or by fax to (212) 952-2779.
  - a. To request an adjournment of a conference in the DCM Part or address any other calendar issues related to a DCM appearance, please call the DCM Clerk at (646) 386-3683.
  - b. Stipulations to adjourn conferences must include a reason for the adjournment and may be sent to the DCM Clerk at [sfc-city-dcm@nycourts.gov](mailto:sfc-city-dcm@nycourts.gov) or by fax to (212) 952-2779.
2. **Ex Parte communications:** **There shall be no ex parte communications with Chambers** and there will be no telephone adjournments. Please be advised that the Court does not receive correspondence uploaded to NYSCEF. Do not call or email Judge Moyne or his staff unless all parties participate in the communication.
3. **Oral Arguments:**
  - a. Oral arguments on motions are held on Wednesdays, in person, at 80 Centre Street, Room 307, commencing at 10:00 am.
  - b. Motions are scheduled for oral argument at the judge’s discretion. If the Court has not scheduled a motion for oral argument and counsel wishes to request oral argument, a letter must be submitted by e-mail to the Principal Law Clerk with all parties copied. After review, the Court will notify the parties only if the application for oral argument is granted.
  - c. Adjournments - Motions scheduled for oral argument may be adjourned for up to 30 days from the original argument date without leave of Court, upon consent of all sides. Stipulations of adjournment must, however, contain a reason for the adjournment(s) and must be filed, with a copy e-mailed to the Part Clerk, no later than 3:30 p.m. of the Friday before the Wednesday argument date. Any additional adjournments beyond 30 days must be “so-ordered” by the Court and must include: a specific reason for the adjournment, the number of prior adjournment requests, and the status of the case.
  - d. Settlement Authority – Counsel appearing for scheduled oral argument on any case commenced in 2019 and earlier are expected to have knowledge of the procedural history and substantive issues of the case and the authority to discuss settlement.
4. **Notifying Court of settlement or resolution:** Counsel must notify the Court, by email, as soon as practicable of any settlement or resolution of active cases or pending motions. When a motion has

been withdrawn or the case has been settled, the parties shall file a Stipulation reflecting same on NYSCEF and notify the Principal Court Attorney of this filing by e-mail. Please note that e-filing alone does not alert the Court.

5. **In-camera review:** No compliance conference stipulation or order shall direct any party to submit records or other evidence to the Court for an in-camera review without the Court's approval.
6. **Discovery Motions:** Discovery motions are strongly discouraged. Prior to making any discovery motion, all parties *must* first request a discovery conference with the DCM Part and, if this conference proves unsuccessful, seek approval from the Court to make the motion.
7. **Summary Judgment Motions:** All summary judgment motions must be e-filed no later than 120 days after filing the Note of Issue. Any exhibit to the motion must be e-filed as a separate document and must be given an identifying label (e.g., Notice of Claim, Bill of Particulars, etc.). All exhibits should be paginated, and reference to any voluminous exhibit, including deposition testimony, must include pinpoint citations.
8. **No courtesy copies:** Please do not send any courtesy (paper) copies of any motion papers or related documents directly to the Part or Chambers, unless requested by the Court.